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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEMBH  
Box 44  
Sep**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION --  
FILING DATE GRANTED**Docket Number:  
**11746/46003**Application Number  
**10/052,578**Filing Date  
**January 17, 2002**

Examiner

Art Unit  
**1646**

Invention Title

**HEAT SHOCK PROTEIN-BASED VACCINES  
AND IMMUNOTHERAPIES**

Inventor(s)

**ROTHMAN, et al.**

Address to:  
Commissioner for Patents  
Box: Missing Parts  
Washington D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

Date: September 16, 2002

Reg. No. 31,995

Signature:

Deborah A. Somerville

In response to the Notice to File Missing Parts of Nonprovisional Application, Filing Date Granted, mailed February 15, 2002, the Commissioner is hereby authorized to charge payment of the small entity filing fee of **\$370.00** to Deposit Account No. 11-0600.

Applicants are a small entity and entitled to small entity status and entitled to pay the small entity filing fee under 37 C.F.R. 1.27. To complete the filing requirements for the above-identified application under 37 C.F.R. § 1.63, enclosed please find a copy of an executed Declaration and Power of Attorney document from prior U.S. application serial number 08/961,707, filed October 31, 1997 and an executed Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers and Appointment of New Power). We also enclose forty-one (41) sheets of Substitute Drawings which are believed to comply with the requirements of 37 CFR 1.84(g) and which are to be substituted for the drawings as originally filed. Furthermore, we enclose sixty-five (65) pages of Sequence Listings in written form, one (1) diskette containing the same Sequence Listing in Computer Readable format and Sequence Listing Statements Under 37 C.F.R. § 1.825 (a), § 1.821(f) and § 1.821(g). A copy of the Notice to File Missing Parts of Application mailed February 15, 2002 is also enclosed.

09/20/2002 CNGUYEN 00000002 110600 10052578

03 FC:228 980.00 CH

1. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.16(l) surcharge fee of **\$65.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
2. Applicants hereby request a **five-month extension of time** for responding to the Notice of February 15, 2002, which set a two-month period for response. The extended period for response expires on September 16, 2002. Please charge the **\$980.00** extension fee to the deposit account of Kenyon & Kenyon, deposit account number 11-0600. The Commissioner is also authorized to charge any additional fees or credit any overpayment to deposit account number 11-0600.
3. A copy of this sheet is enclosed.

Dated: September 16, 2002

By:

  
Deborah A. Somerville (Reg. No. 31,995)

KENYON & KENYON  
One Broadway  
New York, N.Y. 10004  
(212) 425-7200 (telephone)  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/052,578	01/17/2002	James E. Rothman	11746/46003

26646  
KENYON & KENYON  
ONE BROADWAY  
NEW YORK, NY 10004

## CONFIRMATION NO. 9899

## FORMALITIES LETTER



\*OC00000007485739\*

Date Mailed: 02/15/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/20/2002 CNGUYEN 00000002 110600 10052578 FILED UNDER 37 CFR 1.53(b)

01 FC:201 370.00 CH  
02 FC:205 65.00 CH*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also

provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE